

United States Department of the Interior Bureau of Land Management

**Finding of No Significant Impacts
Environmental Assessments
DOI-BLM-UT-G021-2014-029-EA (Price Field Office)
DOI-BLM-UT-G010-2014-093-EA (Vernal Field Office)**

January 2015

November 2014 Oil and Gas Lease Sale

Location: Green River District
Price Field Office
Vernal Field Office

Applicant/Address: U.S. Department of the Interior
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INTRODUCTION

In accordance with the Mineral Leasing Act of 1920 (“MLA”), as amended, 30 U.S.C. §§ 181 *et seq.*, the Bureau of Land Management (“BLM”) Utah holds competitive oil and gas lease sales, on a quarterly basis, in order to respond to public requests for “nominated” federal lands to be made available for oil and gas leasing. *See* 30 U.S.C. § 226(b)(1)(A); *See also* 43 C.F.R. § 3120.1-1. However, before federal lands are offered for oil and gas leasing at a competitive lease sale, BLM Utah considers the potential consequences of issuing oil and gas leases for any such lands during a “lease parcel review process.”

The BLM Utah has engaged in a lease parcel review process for the specific purpose of considering the potential consequences of issuing oil and gas leases for certain federal lands that member of the public nominated to be made available for oil and gas leasing at the competitive lease sale auction that was held on November 18, 2014 (“November 2014 Lease Sale”). This lease sale review process, which was conducted in accordance with guidance provided by BLM Washington Office (“WO”) Instruction Memorandum (“IM”) No. 2010-117, *Oil and Gas Leasing Reform – Land Use Planning and Lease Parcel Reviews*, and BLM Utah IM No. 2014-006, *Oil and Gas Leasing Program NEPA Procedures Pursuant to Leasing Reform*, included the preparation of the environmental assessment documents DOI-BLM-UT-G021-2014-029-EA (“Price EA”) and DOI-BLM-UT-G010-2014-093-EA (“Vernal EA”) (collectively “the EAs”) by the BLM’s Price and Vernal Field Offices (“FOs”), respectively.

Both of the EAs prepared for the November 2014 Lease Sale considered two alternatives in detail. More specifically, the EAs both considered the following two alternatives: Alternative A – Proposed Action and Alternative B – No Action. The Proposed Action alternatives both provided for the offering for lease at the November 2014 Lease Sale and the subsequent oil and gas leasing of certain federal lands with protective measures applied in accordance with the applicable land use plans and as identified in the EAs. The No Action alternatives, under which no federal lands would be offered for lease at the November 2014 Lease Sale, were both considered and analyzed to provide a baseline for comparing the Proposed Action alternatives.

Other action alternatives were considered, but ultimately not brought forward for detailed analysis in the EAs because the issues identified during scoping did not indicate a need for additional alternatives or mitigating measures beyond those addressed and considered through the Proposed Action and No Action alternatives of the EAs.

In reviewing the publicly submitted nominations, which are also known as “expressions of interest” (“EOIs”), for the November 2014 Lease Sale, BLM Utah considered oil and gas leasing on approximately 442,816 acres of land under the jurisdictions of the Price and Vernal FOs. However, during the lease parcel review process, BLM determined that approximately 378,491 acres of the nominated lands should either be removed from

consideration for oil and gas leasing or “deferred” from offering for oil and gas leasing at the November 2014 Lease Sale.

Nominated lands were removed from leasing consideration if it was determined that the lands would be unavailable to offer for lease at the November 2014 Lease Sale. More specifically, the nominated lands determined to be unavailable for oil and gas leasing included areas already under an existing oil and gas lease, lands where the United States does not own the subsurface minerals rights, Wilderness Study Area (“WSA”) lands and areas where the minerals are managed as a part of the Uintah and Ouray Indian Reservation. In addition, nominations of “split estate” lands (privately owned surface/federally owned minerals) where the nominator did not provide contact information for the non-federal surface owners were also removed from oil and gas leasing consideration.

Nominated lands were deferred from being offering for lease at the November 2014 Lease Sale for various reasons. These reasons included the deferral of nominated lands for which it was determined during the lease parcel review process that additional time beyond the November 2014 Lease Sale would be needed to adequately analyze the potential impacts of oil and gas leasing on other resource values, such as lands with wilderness characteristics, greater sage-grouse, white-tailed prairie dog and Graham’s and White River beardtongue. In addition, State Director discretion was exercised to defer certain nominated lands from being offering for lease at the November 2014 Lease Sale for other reasons, such as the desire to preserve future land use planning alternatives for nominated lands within the boundaries of a proposed Master Leasing Plan. Lands where it was believed that future oil and gas operations could potentially conflict with coal operations were also deferred from the November 2014 Lease Sale.

Additional information regarding the nominated lands that were deferred from offering for lease at the November 2014 Lease Sale is documented in the EAs and on the “Deferred Lands List” maintained on the BLM Utah oil and gas lease sale website.¹

In addition to BLM’s internal review and analysis, the lease parcel review process for the November 2014 Lease Sale also included multiple opportunities for public review and participation. The first such opportunity for public review and participation occurred when initial drafts of the EAs were posted for public review and comment from June 13 to July 14, 2014.

After the public review and comment periods for the draft EAs, BLM reviewed the public comments that were received, as well other information obtained from both internal and external sources, and revised the EAs, as determined appropriate.

On August 15, 2014, BLM posted revised versions of the EAs along with a Notice of Competitive Oil and Gas Lease Sale (“the NCLS”).² The NCLS identified sixty-eight parcels, encompassing approximately 71,613 acres of land within the Price and Vernal FOs, that BLM proposed to offer for oil and gas leasing during the November 2014 Lease

¹ The BLM Utah oil and gas lease sale website can be accessed online at:
http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html

² Copies of the revised EAs and NCLS may be obtained by request to the BLM Utah State Office (using the contact information provided on the cover-page of this document) or by accessing the BLM Utah oil and gas lease sale website.

Sale.³ The NCLS also identified protective stipulations and lease notices that BLM intended to attach to each of the lease parcels proposed for offering at the November 2014 Lease Sale. The depiction in the NCLS as to the parcels proposed for lease, and the protective stipulations and notices that would be attached to each of those parcels, was based upon and identical to the oil and gas leasing proposals identified as the Proposed Action alternatives in the EAs.

The posting of the NCLS initiated a public protest period for the November 2014 Lease Sale that concluded on September 15, 2014. During that protest period, three properly-filed protests were received. Those protests, which collectively protested the offering for lease of forty-one of the parcels proposed for lease in the NCLS, were submitted by the following organizations: (1) Trout Unlimited; (2) Rocky Mountain Wild and WildEarth Guardians, jointly (collectively “RMW”); and (3) Southern Utah Wilderness Alliance, Sierra Club, Grand Canyon Trust, Natural Resources Defense Council, and The Wilderness Society, jointly (collectively “SUWA”).

On November 17, 2014, after considering the merits of all substantive contentions raised in the protests of the November 2014 Lease Sale, BLM issued three decisions (“the Protest Responses”) that collectively addressed and responded to each of the protests received.⁴ The Protest Responses set forth BLM’s decisions regarding the protests, which included granting the protest submitted by Trout Unlimited, denying-in-part and granting-in-part the protest submitted by RMW, and denying-in-part, dismissing-in-part as moot, and granting-in-part the protest submitted by SUWA.

The considerations, discussions and determinations stated or referenced in the Protest Responses were both considered and support the determinations set forth in this Finding of No Significant Impacts (“FONSI”). As such, the Protest Responses are incorporated by reference in to this FONSI.

With respect to the decisions in the Protests Responses to grant, grant-in-part and dismiss-in-part certain aspects of the protests received, which required changes from the NCLS with respect to the lands (parcels) to be offered for lease or the conditions under which certain lands would be offered for lease at the November 2014 Lease Sale, those decisions and the associated revisions to the NCLS were formally enacted through the issuance of two errata sheets (“the errata sheets”) to the NCLS.

On November 17 and November 18, 2014, the errata sheets to the NCLS mentioned above were posted to the BLM Utah oil and gas lease sale website and in the BLM Utah State Office.⁵ Among other things, those errata sheets deferred leasing for four entire parcels, Vernal FO parcels UT1114 – 118 (UTU90759), UT1114 – 121 (UTU90761), UT1114 – 126 (UTU90763), and UT1114 – 173 (UTU90776), and portions of seven parcels, Price FO parcels UT1114 – 005 (UTU90721), UT1114 – 007 (UTU90722),

³ The NCLS also provide notice of the proposed reoffering of one additional lease parcel, UT0514-009 (“UTU90789”), within the Richfield FO that had been offered and bid upon at the May 20, 2014, lease sale, but subsequently rejected because the winning bidder failed to timely pay all monies owed. The leasing of parcel UTU90789 was addressed through the lease parcel review process, and associated NEPA documents, completed for the May 20, 2014, lease sale.

⁴ Copies of the Protest Responses may be obtained by request to the BLM Utah State Office or by accessing the BLM Utah oil and gas lease sale website.

⁵ Copies of the errata sheets may be obtained by request to the BLM Utah State Office or by accessing the BLM Utah oil and gas lease sale website.

UT1114 – 037 (UTU90735), and UT1114 – 054 (UTU90749) and Vernal FO parcels UT1114-051 (UTU90748), UT1114 – 113 (UTU90756), and UT1114 – 195 (UTU90781), which the NCLS had proposed to offered for lease at the November 2014 Lease Sale.⁶ As a result, sixty-four parcels, encompassing approximately 64,325 acres within the jurisdictions of the Price and Vernal FOs, were offered for oil and gas leasing during the competitive oral auction held on November 18, 2014 (November 2014 Lease Sale).

Of the sixty-four parcels within the Price and Vernal FOs that were offered for lease at the November 2014 Lease Sale, sixty-three parcels received bids. The only parcel that did not receive a bid during the subject lease auction, Price FO parcel UT1114 – 005 (UTU90721), became available for noncompetitive leasing, in accordance with 43 C.F.R. Subpart 3110, for a two-year period that commenced on November 19, 2014.

This FONSI addresses oil and gas leasing, as provided for in the Proposed Action alternatives for the EAs and the NCLS as modified by the errata sheets, for the following sixty-four lease parcels (“the lease parcels”), which were offered for lease at the November 2014 Lease Sale:

Price FO parcels (DOI-BLM-UT-G021-2014-029-EA):

UT1114 – 005 (UTU90721), UT1114 – 007 (UTU90722), UT1114 – 009 (UTU90723), UT1114 – 010 (UTU90724), UT1114 – 011 (UTU90725), UT1114 – 020 (UTU90726), UT1114 – 021 (UTU90727), UT1114 – 028 (UTU90728), UT1114 – 029 (UTU90729), UT1114 – 030 (UTU90730), UT1114 – 031 (UTU90731), UT1114 – 032 (UTU90732), UT1114 – 034 (UTU90733), UT1114 – 035 (UTU90734), UT1114 – 037 (UTU90735), UT1114 – 038 (UTU90736), UT1114 – 040 (UTU90737), UT1114 – 041 (UTU90738), UT1114 – 042 (UTU90739), UT1114 – 043 (UTU90740), UT1114 – 044 (UTU90741), UT1114 – 045 (UTU90742), UT1114 – 046 (UTU90743), UT1114 – 047 (UTU90744), UT1114 – 048 (UTU90745), UT1114 – 049 (UTU90746), UT1114 – 054 (UTU90749), UT1114 – 055 (UTU90750), and UT1114 – 056 (UTU90751)

Vernal FO parcels (DOI-BLM-UT-G010-2014-093-EA):

UT1114 – 050 (UTU90747), UT1114 – 051 (UTU90748), UT1114 – 107 (UTU90752), UT1114 – 109 (UTU90753), UT1114 – 110 (UTU90754), UT1114 – 112 (UTU90755), UT1114 – 113 (UTU90756), UT1114 – 114 (UTU90757), UT1114 – 116 (UTU90758), UT1114 – 119 (UTU90760), UT1114 – 124 (UTU90762), UT1114 – 132 (UTU90764), UT1114 – 133 (UTU90765), UT1114 – 134 (UTU90766), UT1114 – 135 (UTU90767), UT1114 – 137 (UTU90768), UT1114 – 151 (UTU90769), UT1114 – 153 (UTU90770), UT1114 – 155 (UTU90771), UT1114 – 156 (UTU90772), UT1114 – 157 (UTU90773),

⁶ The errata sheets also removed stipulations from six parcels and applied additional lease notices to several parcels.

UT1114 – 163 (UTU90774), UT1114 – 169 (UTU90775), UT1114 – 174 (UTU90777), UT1114 – 176 (UTU90778), UT1114 – 177 (UTU90779), UT1114 – 179 (UTU90780), UT1114 – 195 (UTU90781), UT1114 – 196 (UTU90782), UT1114 – 209 (UTU90783), UT1114 – 214 (UTU90784), UT1114 – 216 (UTU90785), UT1114 – 217 (UTU90786), UT1114 – 218 (UTU90787), and UT1114 – 254 (UTU90788).

Oil and gas leasing provides for the orderly development of fluid mineral resources under the jurisdiction of BLM in a manner consistent with multiple use management and environmental consideration for the resources that are present. The environmental analyses discussed in the EAs indicates that adequate protections are included with the lease parcels in order to protect public health and safety and assure full compliance with the objectives of the National Environmental Policy Act (“NEPA”), 42 U.S.C. §§ 4321 *et seq.*, and other federal laws and regulations intended for the protection of the human environment.

Continued leasing is necessary to maintain options for the exploration of oil and gas as companies explore new areas for production or attempt to locate and develop previously unidentified, inaccessible or uneconomical reserves. The sale of oil and gas leases will assist in meeting the energy needs of the United States.

The underlying needs for proposed actions described in the Price EA at § 1.3 and the Vernal EA at § 1.4 will be met by issuing oil and gas leases for the lease parcels, as offered at the November 2014 Lease Sale, while also accomplishing the BLM’s multiple use management mandate and the following purposes:

1. Consider environmental impacts;
2. Protect public health and safety;
3. Assure full compliance with the objectives of NEPA and other federal environmental laws and regulations designed to protect the environment; and
4. Meet the energy needs of the United States public.

FINDING OF NO SIGNIFICANT IMPACTS DETERMINATION

Based upon a review of the EAs, and considering the criteria for significance provided by 40 C.F.R. § 1508.27⁷, I have determined that issuing oil and gas leases for the lease parcels in accordance with the Proposed Action alternatives described in the EAs and the NCLS as modified by the errata sheets (“November 2014 Lease Sale Project”) does not constitute a major federal action and it will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general project area, beyond those already described in the following Records of Decision and Approved Resource Management Plans (collectively “the ROD/RMPs”): Price FO ROD/RMP (BLM, 2008, as maintained) and the Vernal FO ROD/RMP (BLM, 2008, as

⁷ The Council on Environmental Quality promulgated regulations, which have been codified at 40 C.F.R. §§ 1500 to 1508, for the purpose of implementing NEPA.

maintained) and the Final Environmental Impact Statements (“FEISs”) upon which the ROD/RMPs rely (together “the ROD/RMPs/FEISs”). Therefore, neither an environmental impact statement (“EIS”) nor a supplement to the ROD/RMPs/FEISs is required for the November 2014 Lease Sale Project.

This determination is based upon the context and intensity of the November 2014 Lease Sale Project, as described below:

Context: The November 2014 Lease Sale Project involved sixty-four lease parcels encompassing approximately 64,325 acres of BLM administered lands within the Price and Vernal FOs that by themselves do not have international, national, regional, or state-wide importance.

Intensity: The discussion of intensity that follows is organized in accordance with the ten criteria for significance described at 40 C.F.R. § 1508.27. In evaluating intensity for the November 2014 Lease Sale Project, the following criteria were considered:

1. Impacts may be both beneficial and adverse. The November 2014 Lease Sale Project would impact other resources as described in the EAs and the ROD/RMPs/FEISs. There are no potential environmental effects for the November 2014 Lease Sale Project that are considered to be significant, as defined by 40 C.F.R. § 1508.27, nor do any of the potential effects exceed those described in the ROD/RMP/FEISs.

Adequate mitigation measures, which include protective stipulations and lease notices, to reduce the potential impacts that future oil and gas operations on the lease parcels may have upon other natural resources and uses of the public lands have been applied to the lease parcels. The mitigation measures applied to the lease parcels were based upon the analyses and decisions identified through the ROD/RMPs/FEISs as well as the lease parcel review process for the November 2014 Lease Sale Project, which included the preparation of the EAs.

Before any surface disturbing operations may be authorized upon the lease parcels, additional and site-specific analysis in accordance with NEPA and further mitigation (if warranted and as is consistent with the standard lease terms and lease notices and stipulations attached to the lease parcels) to reduce impacts to the environment and other uses of the public lands will be required through the Application for Permit to Drill (“APD”) process.

Should all of the lease parcels be developed, they may contribute substantially to local, regional and national energy supplies.

2. The degree to which the proposed action will affect public health or safety. Leasing for oil and gas and the subsequent exploration and development is an on-going activity on the public lands. The standard lease terms, which are contained on the standard lease form (BLM Form 3100-11), the stipulations and notices attached to the lease parcels and the additional NEPA analysis and potential protections/mitigation at the APD stage ensure that development of the lease parcels would occur in a way that protects public health and safety. For example, spill prevention plans would be required and any drilling operations would be conducted in accordance with the safety requirements of 43 C.F.R. Subpart 3160, the Federal Onshore Oil and Gas Orders (“Onshore Orders”), recommended best management practices of the American

Petroleum Institute and other industry requirements for the protection of worker safety and public health.

Environmentally responsible oil and gas operations, including those related to public health and safety, are discussed in the EAs. All operations, including well pad and road construction, water handling and plugging and abandonment, would be conducted in accordance with *The Gold Book: Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development* (United States Department of the Interior and United States Department of Agriculture, BLM, Denver, Colorado, 84 pp., 2007) (“the Gold Book”). The Gold Book provides operators with a combination of guidance and standard procedures for ensuring compliance with agency policies and operating requirements, such as those found in 43 C.F.R. Subpart 3160, the Onshore Orders and notices to lessees. Also included in the Gold Book are environmental best management practices; these measures are designed to provide for safe and efficient operations while minimizing undesirable impacts to the environment. For example, handling of produced water is addressed in Onshore Oil and Gas Order No. 7, which prescribes measures required for the protection of surface and ground water sources. During reclamation, if the fluids within a reserve pit have not evaporated within 90 days, the fluid would be pumped from the pit and disposed of in accordance with the applicable regulations.

3. Unique characteristics of the geographic area such as proximity to cultural resources and Traditional Cultural Properties, recreation, visual resources, vegetation, and wildlife. The specific resource values and land uses within the geographic areas potentially affected by the November 2014 Lease Sale Project have been addressed in the ROD/RMPs/FEISs and the EAs. The coverage in the EAs regarding the unique resource values and uses for the two project areas included within the November 2014 Lease Sale Project (Price EA project area and Vernal EA project area) are summarized in this document in the response to criterion 7 below.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. Scientific controversy over the nature of the impacts of the November 2014 Lease Sale Project does not exist. The oil and gas exploration and development that could follow leasing of the lease parcels is a common practice on public lands. The nature of the activities and the resultant impacts are understood and have been analyzed and disclosed to the public through existing BLM NEPA documents, which include the EAs.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. As stated above, leasing and the subsequent exploration and development of oil and gas resources is not unique or unusual. The BLM has experience implementing the oil and gas program, and the environmental effects to the human environment are fully analyzed in existing NEPA documents, including the EAs. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks within the project areas for the November 2014 Lease Sale Project.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. Reasonably foreseeable actions connected to the decision to lease the

lease parcels have been considered. A lessee's right to explore and drill for oil and gas, at some location on a lease, subject to the standard lease terms and specific lease notices and stipulations attached to the lease, is a conspicuous aspect of lease issuance. A lessee must submit to BLM an APD identifying the specific location and plans for use of the surface and BLM must approve such an APD before any surface disturbance, including drilling, may commence on a lease. The BLM's consideration of an APD will include site-specific environmental analysis and documentation in accordance with NEPA. If BLM approves an APD, a lessee may produce oil and/or gas from the lease without additional approval so long as such production is consistent with the terms of the BLM-approved APD. During the lease parcel review process, the impacts which may result from leasing and the subsequent development of oil and gas resources from the lease parcels was considered by interdisciplinary teams of resource specialists within the Price and Vernal FOs within the context of past, present, and reasonably foreseeable future actions and, as stated previously and below, significant impacts, including direct, indirect and cumulative impacts, to other resources and uses are not predicted.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership. During the lease parcel review process, BLM's Price and Vernal FOs each assembled interdisciplinary teams of resource specialists in order to evaluate the potential environmental impacts that could result from the November 2014 Lease Sale Project. These interdisciplinary teams evaluated the potential environmental impacts within the context of past, present and reasonably foreseeable future actions. The environmental analyses that were conducted by the interdisciplinary teams and documented in the EAs do not predict significant direct, indirect or cumulative impacts to result from the November 2014 Lease Sale Project.

A complete disclosure of the reasonably foreseeable direct, indirect and cumulative impacts from the November 2014 Lease Sale Project, as considered by the interdisciplinary teams during the lease parcel review process, is contained at Chapter 4 and Appendix C of the EAs. A summary of the reasonably foreseeable impacts considered and addressed by the EAs has been provided below.

The following resources and uses within the project area for the Price EA (DOI-BLM-UT-G021-2014-029-EA) are not affected by the November 2014 Lease Sale Project because they are not present within that project area: areas of critical environmental concern ("ACECs"), Native American religious concerns, Endangered Species Act ("ESA") threatened, endangered, or candidate plant species, Wild and Scenic Rivers, WSAs and Congressionally-designated Wilderness, wild horse and burro herd management areas, BLM Natural Areas, and National Historic Trails.

The following resources and uses within the project area for the Vernal EA (DOI-BLM-UT-GO010-2014-093-EA) are not affected by the November 2014 Lease Sale Project because they are not present within that project area: BLM Natural Areas, WSAs and Congressionally-designated Wilderness, prime or unique farmlands, and wild horse and burro herd management areas.

The following resources and uses, although present or potentially present within the project area for the Price EA (DOI-BLM-UT-G021-2014-029-EA), would not be affected

by the November 2014 Lease Sale Project at levels that meet the criteria for significance, as provided by 40 C.F.R. § 1508.27, or that required detailed discussion in Chapters 3 and 4 of the Price EA, for the reasons which have been set forth in the Price EA at Appendix C (Interdisciplinary Team Checklist): greenhouse gas emissions/climate change, BLM Sensitive Species - animals, cultural resources, environmental justice, invasive/non-native species/noxious weeds, ESA threatened, endangered or proposed animal species, ESA candidate animal species, wastes (hazardous or solid), Rangeland Health Standards and Guidelines, livestock grazing, woodlands/forestry, fish and wildlife (excluding ESA listed species and BLM Sensitive Species), recreation, visual resources, geology/mineral resources/energy production, paleontology, lands/access, fuels/fire management, socioeconomics, and coal resources.

The following resources and uses, although present or potentially present within the project area for the Vernal EA (DOI-BLM-UT-GO010-2014-093-EA), would not be affected by the November 2014 Lease Sale Project at levels that meet the criteria for significance, as provided by 40 C.F.R. § 1508.27, or that required detailed discussion in Chapters 3 and 4 of the Vernal EA, for the reasons which have been set forth in the Vernal EA at Appendix C (Interdisciplinary Team Checklist): cultural resources/archeological resources, Native American religious concerns, environmental justice, fuels/fire management, geology/mineral resources/energy production, invasive plants/noxious weeds/soils/vegetation, lands/access, paleontology, BLM Sensitive Species – plants, wetlands/riparian, socioeconomics, wastes (hazardous or solid), floodplains, groundwater quality, hydrologic conditions, surface water quality, waters of the United States, and woodlands/forestry.

In addition, through the lease parcel review process, BLM identified certain aspects of the human environment (resources and uses) that would be potentially impacted by oil and gas operations associated with the November 2014 Lease Sale Project such that detailed analysis and discussion regarding the potential impacts to those resources and uses in Chapters 3 and 4 of the EAs was warranted.

The following resources and uses within the project area for the Price EA (DOI-BLM-UT-G021-2014-029-EA) were identified as being potentially impacted by the November 2014 Lease Sale Project such that those resources and uses were brought forward for detailed analysis and discussion in Chapters 3 and 4 of the Price EA: air quality, unique or prime farmlands, water quality (drinking/ground), hydrologic conditions, wetlands/riparian zones, vegetation including Special Status plant species other than ESA candidate and listed species, soils, and non-WSA lands with wilderness characteristics.

The following resources and uses within the project area for the Vernal EA (DOI-BLM-UT-GO010-2014-093-EA) were identified as being potentially impacted by the November 2014 Lease Sale Project such that those resources and uses were brought forward for detailed analysis and discussion in Chapters 3 and 4 of the Vernal EA: air quality/greenhouse gas emissions, ACECs, Wild and Scenic Rivers, non-WSA lands with wilderness characteristics, livestock grazing and Rangeland Health Standards, ESA threatened, endangered, proposed or candidate plant species, recreation, visual resources, migratory birds (including raptors), wildlife (not including ESA designated species), and ESA threatened, endangered, proposed or candidate animal species.

With respect to those resources and uses that BLM identified as potentially impacted by the November 2014 Lease Sale Project and for which detailed analysis and discussion was afforded in Chapters 3 and 4 of the EA, the EAs indicate that none of those resources or uses would be impacted by the November 2014 Lease Sale Project to a degree that rises to the level of significance, as defined by 40 C.F.R. § 1508.27. Moreover, through the lease sale review process, and as documented in the EAs, BLM has determined that the conditions for surface operations on the lease parcels, which are established by, among other things, 43 C.F.R. Subpart 3160, the Onshore Orders, the standard lease terms and the protective stipulations and lease notices that have been developed through the ROD/RMPs/FEISs and the November 2014 Lease Sale lease parcel review process and attached to the lease parcels, take in to account the reasonably foreseeable impacts to resource values and apply appropriate management constraints to adequately mitigate all potential impacts from the November 2014 Lease Sale Project to levels of non-significance. As such and as previously stated, the November 2014 Lease Sale Project is not anticipated to have a direct, indirect or cumulative impact on any resource or use of the public lands that rises to the level of significant, as defined by 40 C.F.R. § 1508.27.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. The November 2014 Lease Sale Project is not predicted to adversely affect districts, sites, highways, structures, or other objects that are listed or eligible for listing on the National Register of Historic Places (“National Register”), nor is it anticipated to cause the loss or destruction of significant scientific, cultural, or historical resources.

In order to identify and assess the potential impacts that the November 2014 Lease Sale Project might have on cultural resources, including historic properties that are listed or eligible for listing on the National Register pursuant to the National Historic Preservation Act (“NHPA”), 16 U.S.C. §§ 470 *et seq.*, BLM cultural resources specialists reviewed and analyzed existing records for cultural resources within the areas of potential effects (“APEs”) for the November 2014 Lease Sale Project. These cultural resources records reviews and analyses, which are referred to as “Class I” cultural resources literature reviews, indicated cultural site densities that, when considered along with the protective measures applicable to each of the lease parcels (i.e. standard lease terms, lease notices and stipulations), lead both the Price and Vernal FOs to determine that the issuance and subsequent development of the November 2014 Lease Sale Project lease parcels could occur without having significant adverse impacts upon cultural resources. Moreover, with respect to those cultural resources eligible for protection under the NHPA specifically, in accordance with section 106 of the NHPA, 16 U.S.C. § 470f, and its implementing regulations at 36 C.F.R. Part 800, the Price and Vernal FOs made determinations of “No Historic Properties Affected; eligible sites present but not affected as defined by 36 C.F.R. § 800.4 [§ 800.16(i)]” and “No Adverse Effect (36 C.F.R. § 800.5(b)) on historic properties,” respectively, for the November 2014 Lease Sale Project.

For the purposes of soliciting additional information and to request consultation regarding the presence of and potential impacts to cultural resources, including historic properties listed on or eligible for listing on the National Register, within the APEs for

the November 2014 Lease Sale Project, BLM sent letters to the State of Utah's State Historic Preservation Office ("SHPO") and potentially interested Native American Tribes, which provided those parties with notice and documentation supporting BLM's determinations as to the potential impacts of the November 2014 Lease Sale Project on cultural resources.

On May 14, 2014, SHPO provided its written concurrence for the Price FO's determination of "No Historic Properties Affected" by the November 2014 Lease Sale Project. Likewise, on June 2, 2014, SHPO provided its written concurrence for the determination by the Vernal FO that there would be "No Adverse Effect" to historic properties from the November 2014 Lease Sale Project.

Additional information regarding communications with Native American Tribes and SHPO, BLM's review and determinations as to the potential impacts of the November 2014 Lease Sale Project on cultural resources and the compliance of the November 2014 Lease Sale Project with the NHPA, the American Indian Religious Freedom Act, the Native American Graves Protection and Repatriation Act, and other related laws, regulations and policies, can be found in the EAs and in the administrative record compiled and maintained by the BLM Utah State Office for the November 2014 Lease Sale Project.⁸

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list. As determined during the lease parcel review process and as documented in the EAs and the administrative record for the November 2014 Lease Sale Project, the November 2014 Lease Sale Project is not likely to adversely affect any species, or the habitat of any species, listed as threatened or endangered under the ESA, nor is the project likely to adversely affect any species, or the habitat of any species, proposed for listing as threatened or endangered under the ESA. The November 2014 Lease Sale Project is also not predicted to have an adverse impact on any BLM Sensitive Species, including those species that are neither listed nor proposed or candidates for listing under the ESA. The rationale supporting the above determinations, which can be found in the EAs and the administrative record for the November 2014 Lease Sale Project, has been briefly summarized below.

In 2006, BLM Utah and the United States Fish and Wildlife Service ("USFWS") engaged in a statewide programmatic consultation for the BLM Utah's oil and gas leasing program. This statewide consultation resulted in the development of specific oil and gas lease notices for individual ESA listed species. The BLM and USFWS developed and agreed to the language for these lease notices with the intent that they would be applied in conjunction with the authority of the ESA and the standard lease terms (BLM Form 3100-11) for the management and protection of the species addressed by the notices in accordance with the ESA.

⁸ The administrative record for the November 2014 Lease Sale Project can be obtained by request to the BLM Utah State Office.

More recently, programmatic consultation between BLM and USFWS occurred as part of the processes to revise six land use plans in 2008, which included both the Price and Vernal FO ROD/RMPs. During these programmatic consultations, the aforementioned lease notices that were originally developed in 2006 were revised and updated.

The BLM has committed to attach the lease notices, which it developed through the aforementioned programmatic consultations with USFWS, to the appropriate oil and gas leases at the time of issuance, which will serve to notify oil and gas lessees of the specific ESA protected species or habitat present or potentially present on the subject leased lands and the associated surface protection requirements that may be imposed pursuant to the ESA or other related laws, regulations or policies. These programmatically-developed lease notices were among the protective measures that were available, considered and attached, as determined appropriate during the lease parcel review process, to the lease parcels offered at the November 2014 Lease Sale.

In addition, pursuant to WO IM No. 2002-174, the following has been attached as a formal stipulation on all of the November 2014 Lease Sale Project lease parcels:

The lease may now and hereafter contain plants, animals, and their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objectives to avoid BLM approved activity that will contribute to a need to list such a species or their habitat. BLM may require modification to or disapprove a proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligation under requirements of the Endangered Species Act, as amended, 16 U. S. C. § 1531 et seq., including completion of any required procedure for conference or consultation.

The BLM also coordinated with USFWS and the Utah Division of Wildlife Resources (“UDWR”) during the lease parcel review process for the specific purpose of identifying and evaluating the potential impacts that the November 2014 Lease Sale Project might have on plant and animal species, including those species that have been listed as threatened or endangered under the ESA, species that have been proposed or are candidates for ESA protection and BLM Sensitive Species that are neither listed, proposed nor candidates for protection under the ESA. As a part of this coordination during the lease parcel review process, BLM consulted with USFWS and UDWR in making determinations as to which of the protective measures available, specifically which of the stipulations and lease notices available, should be attached to each of the lease parcels. The BLM also consulted with USFWS and UDWR regarding the adequacy of the protections afforded by the stipulations and lease notices available for attachment to the lease parcels.

Based upon the lease parcel review process, which included the aforementioned coordination and consultation with USFWS and UDWR, BLM determined that all reasonably foreseeable impacts from the November 2014 Lease Sale Project to animal and plant species that have been listed as threatened or endangered under the ESA,

animal and plant species that are candidates or are proposed for listing under the ESA, as well as BLM Sensitive Species that are neither listed under the ESA nor proposed or candidates for listing under the ESA would either be completely avoided or reduced to insignificant levels, or less, by the protective and mitigating measures attached to the lease parcels, as offered at the November 2014 Lease Sale.

The lease parcel review process, and the coordination and consultation with USFWS during that process, also lead BLM to a final determination that the November 2014 Lease Sale Project “may affect, but not likely adversely affect” ESA listed species. On November 14, 2014, BLM issued a memorandum to USFWS, which summarized the ESA informal section 7 consultation and conference that occurred between BLM and USFWS regarding the November 2014 Lease Sale Project. This memorandum also sought to conclude informal section 7 consultation for the November 2014 Lease Sale Project by requesting concurrence from USFWS with respect to BLM’s determination that the November 2014 Lease Sale Project “may affect but not likely adversely affect” ESA listed species.

On November 17, 2014, BLM received a memorandum from USFWS wherein USFWS concurred with BLM’s determination that the November 2014 Lease Sale Project “may affect but not likely adversely affect” ESA listed species. With this written concurrence from USFWS, informal section 7 consultation for the November 2014 Lease Sale Project was concluded in accordance with the ESA.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements. The November 2014 Lease Sale Project is not predicted to violate any known federal, state, local or tribal law or any other requirement imposed for the protection of the environment. Potentially interested state, local, and tribal interests were given the opportunity to participate in the lease parcel review process.

In addition, based on the emissions estimates and considerations of the lease parcels locations relative to population centers and “Class 1” areas, no significant air resource impacts are anticipated. Detailed analysis or modeling is not warranted.

The November 2014 Lease Sale was conducted in manner that is consistent with the applicable land use plans, laws, regulations and policies, which are described in the EAs at Chapter 1. Additional consultation, coordination and environmental analysis will be required during the review and approval of site-specific proposals for oil and gas exploration, drilling and development on the November 2014 Lease Sale lease parcels.

/s/ Kent Hoffman

Authorized Officer

January 26, 2015

Date